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November 7, 2000

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554


**Re: Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
MM Docket No. 00-159; RM-9889
(Thermopolis and Story, Wyoming)**

Dear Ms. Salas:

Transmitted herewith on behalf of Lovcom, Inc. is an original and four copies of its Reply Comments in opposition to the proposed substitution of Channel 252C1 for Channel 252C2 at Thermopolis, Wyoming, and the modification of an unbuilt construction permit for Channel 252C2 at Thermopolis, Wyoming in the above-referenced rule making proceeding.

Should any questions arise, please contact this office directly.

Sincerely,


John F. Garziglia

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

NOV 7 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No. 00-159
Table of Allotments) RM-9889
FM Broadcast Stations)
(Thermopolis and Story, Wyoming))

To: Chief, Allocations Branch

REPLY COMMENTS

Lovcom, Inc., by its attorneys and pursuant to Notice of Proposed Rule Making, DA 00-2018, MM Docket No. 00-159, RM-9889, released September 1, 2000 ("NPRM"), hereby submits its reply comments in opposition to the proposed substitution of Channel 252C1 for Channel 252C2 at Thermopolis, Wyoming, the reallocation of Channel 252C1 from Thermopolis to Story, Wyoming, and the modification of an unbuilt construction permit for Channel 252C2 at Thermopolis, Wyoming to specify operation on Channel 252C1 at Story, Wyoming.^{1/}

1. On October 23, 2000, Legend Communications of Wyoming, LLC ("Petitioner"), filed comments stating that gray area would be eliminated by the proposed community of license change. As shown in the attached engineering statement of Mueller Broadcast Design, however, Petitioner's claim that gray area would be eliminated is erroneous. As explained in the attached engineering statement, Petitioner used nighttime service areas rather than daytime service areas for AM stations to claim that gray area would be eliminated. When the daytime contours of AM stations are used, there is no gray area to be eliminated by the reallocation proposed.

2. Further, the attached engineering statement notes that if actual service contours of existing FM stations were used rather than uniform circles, Petitioner's proposal would result in being the sixth or higher aural service over all of the proposed service area. Thus, even

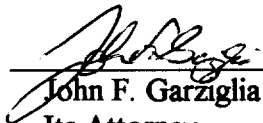
^{1/} The NPRM specified a deadline date of November 7, 2000 for the filing of reply comments. Accordingly, these reply comments are timely filed.

assuming that Story is a community for allotment purposes, which it is not, there would be scant public interest benefits to adopting Petitioner's proposal.²

WHEREFORE, for the reasons above, the Commission should not substitute Channel 252C1 for Channel 252C2 at Thermopolis, Wyoming, or reallocate Channel 252C1 from Thermopolis to Story, Wyoming, or modify the unbuilt construction permit for Channel 262C2 at Thermopolis, Wyoming to specify operation on Channel 252C1 at Story, Wyoming.

Respectfully submitted,

LOVCOM, INC.

By: 
John F. Garziglia
Its Attorney

Pepper & Corazzini, L.L.P.
1776 K Street, N.W.
Suite 200
Washington, D.C. 20006
(202) 296-0600

November 7, 2000

² As noted in the October 23, 2000 comments of Lovcom, Inc., Story is not a community for allotment purposes.

**Engineering Statement For
Lovcom, Inc.
In Re: MM Docket 00-159, RM-9889
Story, Wyoming
November 2000**

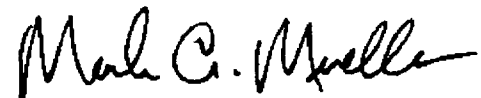
This engineering exhibit was prepared in support of reply comments being filed by Lovcom, Inc. in Mass Media Docket 00-159, RM-9889, which proposed to change the allotment of FM channel 252C2 at Thermopolis, WY to 251C1 at Story, WY. This proposed change is supported by an engineering statement which claims that a gray area will be eliminated and as such the change is in the public interest.

The service areas of the AM commercial stations which have primary service contours which overlap the proposed service area were presented in the petition engineering using nighttime facilities. This is at odds with the normal procedure of using daytime contours for AM stations unless the nighttime contour encompasses a larger area. With the AM contours adjusted for proper mode of operation, the proposal no longer services any "gray area" and in fact is the fourth or greater service over 100% of the area in question. KROE (AM), Sheridan, WY and KWYO (AM), Sheridan WY both provide primary service to the area claimed as "gray" to the east and the changed allotment results in fourth or fifth aural service in the eastern "2" area shown on their figure 6. The "2" area to the south is served by KROE, KBBS (AM), Buffalo, WY and KIML (AM), Gillette, WY and would in fact be the fifth aural service in this southern area.

Finally, if the actual service contours of the proposed and existing FM stations were used rather than uniform circles, the proposed 251C1 allotment at Story, WY would be the sixth or higher aural service over all of its 60 dBu service contour. See the attached map for details.

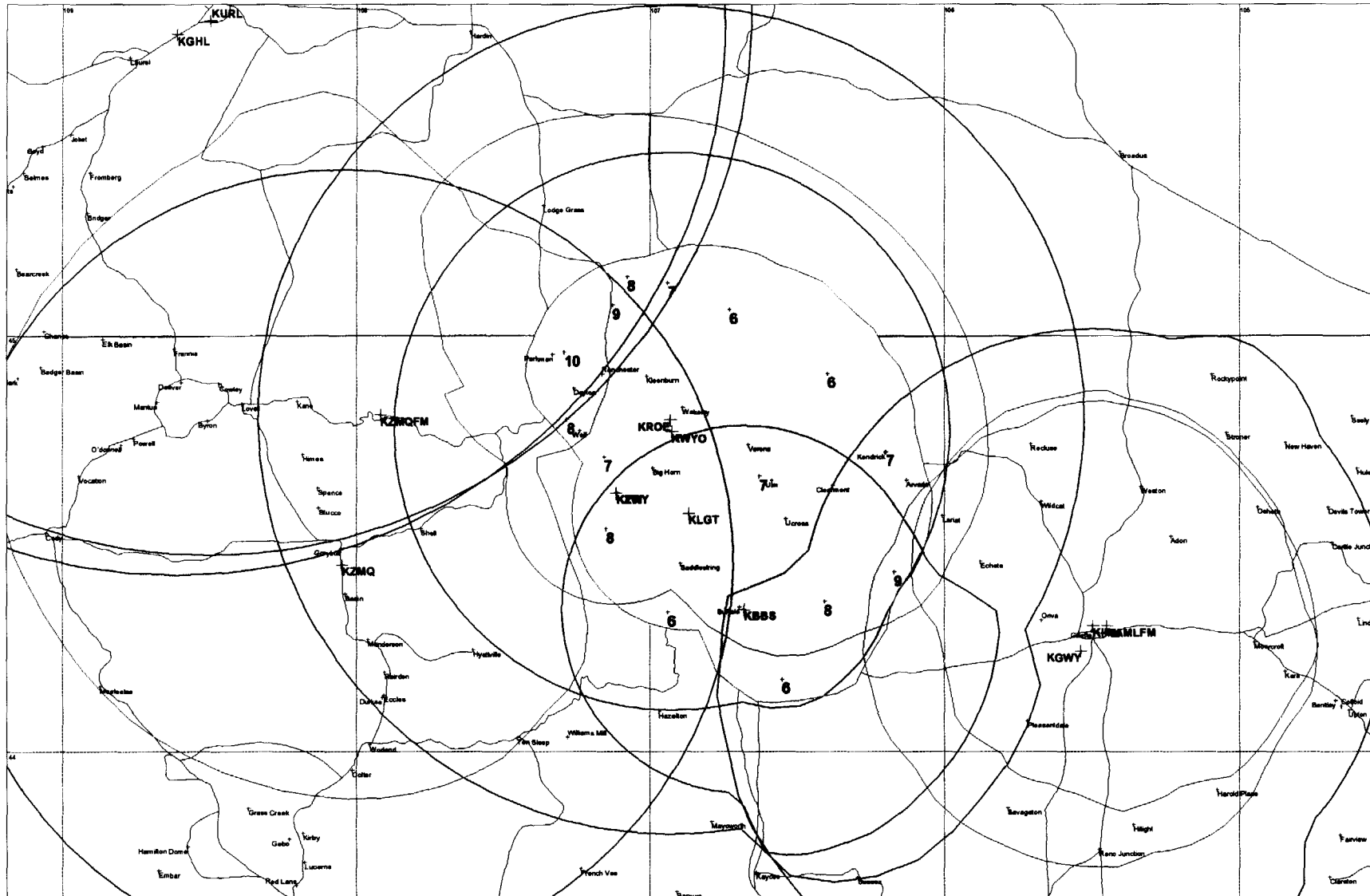
This engineering exhibit was prepared by me and is true and correct to the best of my knowledge and belief.

November 5, 2000



Mark A. Mueller

Story, WY 252C1 Plus Other Commercial Aural Primary Services



Prepared by Mueller Broadcast Design, La Grange, Illinois, 11/2000

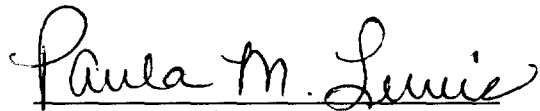
Scale 1:1600000

50 Km

CERTIFICATE OF SERVICE

I, Paula M. Lewis, a secretary in the law firm of Pepper & Corazzini, L.L.P., do hereby certify that on this 7th day of November, 2000, copies of the foregoing Reply Comments were mailed, postage prepaid, to the following:

Janet Y. Shih, Esq.
Leventhal, Senter & Lerman, PLLC
2000 K Street, NW, Suite 600
Washington, DC 20006
(Counsel for Legend Communications for Wyoming, LLC)


Paula M. Lewis